

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, ex rel.,
TIM GREEN,

No. CV-10-3022-EFS

Plaintiff,

ORDER GRANTING RELATOR'S MOTION TO
DISMISS FRAUD CLAIMS WITHOUT
PREJUDICE, AND AMENDING CAPTION

v.

AMTECH, LLC, a Delaware Corporation; 3TEX, INC., a Delaware Corporation; BLACKFORD CAPITAL ASSOCIATES, LLC, a California Corporation; COMPOSITES CONSOLIDATION COMPANY, LLC, a Delaware Corporation; UNIVERSITY OF DELAWARE, a Private Trust; DOUG CHRISTIE, an Individual; KIM BRAZELL, an Individual; BILL BUSHBAUM, an Individual; KEN O'HERRON, an Individual; MARTIN STEIN, an Individual; ANTHONY KIEHN, an Individual; and GREGORY STONE, an Individual,

Defendants.

Before the Court, without oral argument, is Relator Tim Green's Motion to Dismiss Fraud Claims without Prejudice, ECF No. 27. Because the United States of America declined to intervene in this lawsuit, the Relator asks the Court to dismiss without prejudice the claims that he brought on behalf of the United States in this lawsuit. On

1 April 15, 2013, the United States consented to the Relator's motion.
2 ECF No. 28. After reviewing the record and related authority, the
3 Court finds good cause to grant the motion to dismiss.

4 Accordingly, **IT IS HEREBY ORDERED:**

5 1. Mr. Green's Motion to Dismiss Fraud Claims Without
6 Prejudice, **ECF No. 27**, is **GRANTED**.

7 2. The only remaining claims in this lawsuit are those
8 asserted by Mr. Green: 1) violation of 31 U.S.C. §
9 3730(h), and 2) wrongful retaliatory termination in
10 violation of Washington's public policy.

11 3. The caption shall be amended as follows:

12 TIM GREEN,

13 Plaintiff,

14 v.

15 AMTECH, LLC, a Delaware Corporation; 3TEX, INC.,
16 a Delaware Corporation; BLACKFORD CAPITAL
17 ASSOCIATES, LLC, a California Corporation;
18 COMPOSITES CONSOLIDATION COMPANY, LLC, a Delaware
19 Corporation; UNIVERSITY OF DELAWARE, a Private
20 Trust; DOUG CHRISTIE, an Individual; KIM BRAZELL,
an Individual; BILL BUSHBAUM, an Individual; KEN
O'HERRON, an Individual; MARTIN STEIN, an
Individual; ANTHONY KIEHN, an Individual; and
GREGORY STONE, an Individual,

21 Defendants.

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IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to counsel and the U.S. Attorney's Office.

DATED this 16th day of April 2013.

s/ Edward F. Shea
EDWARD F. SHEA
Senior United States District Judge